U.S. DISTRICT COURT WESTERN DISTRICT OF LOUISIANA RECEIVED - SHREVEPORT

MAR 1 1 2009

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA SHREVEPORT DIVISION

VICTOR Y. DURDEN

CIVIL ACTION NO. 5:06CV277

VERSUS

JUDGE STAGG

WARDEN, LSP

MAGISTRATE JUDGE HORNSBY

CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

The certificate of appealability is GRANTED for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right: nstitutional right:
Signed at _______, Louisiana, this _______, Day of Moved, 2009.

Tom Stagg

UNITED STATES DISTRICT JUDGE